UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, Plaintiff, v. JOSE ENRIQUE ESTRADA, Defendant.	**ATTN: U.S. MARSHAL ACTION REQUIRED** No. 1:16-cr-2049-SAB **ORDER GRANTING PRETRIAL RELEASE**

Before the Court is Defendant's Motion for Review of Detention Order, ECF No. 39. The Court held a hearing on October 19, 2016, where Ben Seal represented the government and Alison Guernsey represented Defendant. Based on the motion and oral argument, the Court finds that there is a set of conditions that can reasonably assure Defendant's future appearance and the safety of the community. The Court **grants** the motion, and orders the release of Defendant on his own recognizance, subject to the conditions specified below.

Defendant has filed two motions to suppress evidence, and all parties agree more time is needed to prepare for those motions and review further discovery in the case. The Court therefore **grants** Defendant's oral motion to continue the case.

//

//

//

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion for Review of Detention Order, ECF No. 39, is **GRANTED**.

2. Defendant's Motion to Allow Review of Discovery, ECF No. 43, is **DENIED AS MOOT**.

3. The U.S. Marshals are **ORDERED TO RELEASE** Defendant on his own recognizance by **2:30 pm** on **October 19, 2016**, to allow Defendant to report to U.S. Probation and/or Pretrial Services before the close of business today.

4. Defendant **shall abide by all the standard conditions** of pretrial release in this district. In addition, Defendant **shall abide** by the following special conditions of release, and will:

1) Maintain or actively seek lawful employment;

2) Avoid all knowing contact, direct or indirect, with any persons whom Defendant would reasonably know would be a witness or victim or a codefendant in this case;

3) Avoid knowingly associating with known felons;

4) Report to the U.S. Pretrial Services office daily via telephone or in person, as directed by the supervising officer;

5) Reside at the Union Gospel Mission unless and until another residence, suitable to the U.S. Pretrial Services Office or the Court, has been secured; and

6) Participate in the GPS Monitoring program. Defendant shall remain at the Union Gospel Mission at all times except for: attorney visits, court appearances, case-related matters, court-ordered obligations, employment, employment-related searches, housing-related searches or other specific activities on specific dates as may be pre-approved by the Pretrial Services Office or the Court.

//

The Court concludes that these conditions will reasonably assure Defendant's future appearance and the safety of the community under the Bail Reform Act.

5. Defendant's oral motion to continue the trial and pretrial conference is **GRANTED.**

6. The current trial date of November 14, 2016, **is stricken**. Trial is **reset** for **February 6, 2017,** in Yakima, Washington. Counsel shall appear in court at 8:30 am on the first day of trial to address any pending pretrial matters. Jury selection shall begin at 9:00 am.

7. The pretrial conference, previously set for October 26, 2016, is **reset** for **January 11, 2017**, **at 11:00 am**, in Yakima, Washington.

8. All pretrial motions shall be filed on or before **January 9, 2017**.

9. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between November 14, 2016, and February 6, 2017, the new trial date, is **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy Trial Act. Defendant shall submit a signed waiver of speedy trial rights.

10. Trial briefs, proposed voir dire, jury instructions, verdict forms, exhibit lists, expert witness lists, and summaries of expert testimony shall be filed and served by all parties on or before **January 30, 2017**.

IT IS SO ORDERED. The District Court Executive is hereby directed to file this Order and provide copies to counsel.

DATED this 19th day of October, 2016.

Stanley A. Bastian
United States District Judge